

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Katharine S. Hayden  
: Crim No. 06-911 (KSH)  
v. :  
: [PROPOSED] PRETRIAL ORDER  
DAVID KIRKLAND :  
a/k/a "Crazy," :  
:

A pretrial conference being held on the 9<sup>th</sup> day February, 2009,  
it is hereby ORDERED that:

1. A motions hearing is scheduled for Wednesday, February 11, 2009 at 2:00 p.m.;
2. At the motions hearing, the government shall provide a more detailed statement of the proof it intends to introduce pursuant to its *in limine* motions;
3. The government shall attempt to locate a 1999 statement of Damon McDuffy to law enforcement, which counsel for the defendant represents may contain Brady material and make a determination as to whether it is discoverable;
4. The government shall provide defendant with a copy of any documentary about the "James Bond Gang" in its possession;
5. The government and defendant shall attempt to locate a copy of any statement of deceased government witness Hector Lima which was given to Bruce Anderson in United States v. Anderson et al., Crim No. 03-423 (KSH);
6. Defendant shall decide by Wednesday, February 11, 2009, whether to waive his right to having a trial not less than 30 days from the date of the Second Superseding Indictment, pursuant to 18

U.S.C. § 3161(c) (2);

7. Jury selection to commence on February 23, 2009; and
8. Opening statements and the beginning of the government's case-in-chief to commence on February 25, 2009.



HON. KATHARINE S. HAYDEN  
United States District Judge

IT IS SO ORDERED:

February 16, 2009